

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

In re COVENTRY HEALTHCARE, INC.) Master File No. 8:09-cv-02337-AW
SECURITIES LITIGATION)
) CLASS ACTION

This Document Relates To:)

ALL ACTIONS.)
)
_____)

NOTICE OF NON-OPPOSITION TO THE MOTION OF THE COVENTRY
INSTITUTIONAL INVESTOR GROUP FOR APPOINTMENT AS LEAD PLAINTIFF AND
APPROVAL OF SELECTION OF LEAD AND LIAISON COUNSEL

On November 2, 2009, within 60 days of the publication of the requisite notice on September 3, 2009, institutional investors New England Teamsters & Trucking Industry Pension Fund, United Food and Commercial Workers Union Local 880 – Retail Food Employers Joint Pension Fund, and Southern California IBEW-NECA Pension Plan (collectively, the “Coventry Institutional Investor Group”) timely filed a motion for their appointment as Lead Plaintiff and for approval of their selection of Lead and Liaison Counsel. Two other motions were filed by: (i) Bristol County Retirement System (“Bristol County”) and Plymouth County Retirement System (“Plymouth County”); and (ii) County of York Employees Retirement Plan (“York County”). The Coventry Institutional Investor Group – which represents the largest financial interest in this litigation and is otherwise adequate and typical – respectfully submits this notice to inform the Court that its motion is unopposed.

Specifically, Defendants submitted a response indicating that they take no position with respect to the competing Lead Plaintiff motions, and York County filed a response stating that it does not oppose the Coventry Institutional Investor Group’s motion. In addition, counsel for the

Coventry Institutional Investor Group was advised by counsel for Bristol County and Plymouth County that they also do not oppose the Coventry Institutional Investor Group's motion.

Accordingly, the Coventry Institutional Investor Group respectfully requests that the Court enter an Order: (i) appointing the Coventry Institutional Investor Group as Lead Plaintiff; (ii) approving the Coventry Institutional Investor Group's selection of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP to serve as Lead Counsel and the law firm of Brown, Goldstein & Levy LLP to serve as Liaison Counsel; and (iii) granting such other and further relief as the Court may deem just and proper.

DATED: December 1, 2009

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/s/ Daniel F. Goldstein

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